

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PLAINTIFF PACITO; PLAINTIFF ESTHER;  
PLAINTIFF JOSEPHINE; PLAINTIFF SARA;  
PLAINTIFF ALYAS; PLAINTIFF MARCOS;  
PLAINTIFF AHMED; PLAINTIFF RACHEL;  
PLAINTIFF ALI; HIAS, INC.; CHURCH  
WORLD SERVICE, INC.; and LUTHERAN  
COMMUNITY SERVICES NORTHWEST,

*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States; MARCO RUBIO,  
in his official capacity as Secretary of State;  
KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security; ROBERT F.  
KENNEDY, JR., in his official capacity as  
Secretary of Health and Human Services,

*Defendants.*

Case No. 2:25-cv-255-JNW

**DECLARATION OF NICHOLAS J.  
SURPRISE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
EMERGENCY CONFERENCE TO  
ADDRESS DEFENDANTS'  
COMPLIANCE WITH  
PRELIMINARY INJUNCTION**

I, Nicholas J. Surprise, hereby declare as follows:

1. I am over the age of eighteen and competent to make this declaration. I am an attorney with the law firm Perkins Coie LLP and counsel for Plaintiffs in the above-captioned matter. I make this declaration based on personal knowledge about which I am competent to testify.

1           2.       I submit this declaration to provide the Court true and correct copies of certain  
2 documents submitted in support of Plaintiffs' motion for an emergency conference:

3           **Exhibit 1** is a true and correct copy of an email timestamped 3:01 P.M. on May 21, 2025,  
4 and on which I was copied, that Megan Hauptman, an attorney with the International Refugee  
5 Assistance Project ("IRAP") and counsel for Plaintiffs in this matter, sent to Defendants' counsel.

6           **Exhibit 2** is a true and correct copy of an email timestamped 4:58 P.M. on May 28, 2025,  
7 and on which I was copied, that Alexandra Yeatts, an attorney with the U.S. Department of Justice  
8 and counsel for Defendants in this matter, sent to Plaintiffs' counsel.

9           **Exhibit 3** is a true and correct copy of an email timestamped 3:41 P.M. on May 29, 2025,  
10 and on which I was copied, that Melissa Keaney, an attorney with IRAP and counsel for Plaintiffs  
11 in this matter, sent to Defendants' counsel.

12           **Exhibit 4** is a true and correct copy of an email timestamped 2:02 P.M. on June 5, 2025,  
13 and on which I was copied, that Melissa Keaney sent to Defendants' counsel.

14           **Exhibit 5** is a true and correct copy of an email timestamped 10:57 A.M. on June 6, 2025,  
15 and on which I was copied, that Alexandra Yeatts sent to Plaintiffs' counsel.

16           **Exhibit 6** is a true and correct copy of an email timestamped 11:07 A.M. on June 13, 2025,  
17 and on which I was copied, that Melissa Keaney sent to Defendants' counsel.

18           **Exhibit 7** is a true and correct copy of an email timestamped 5:10 P.M. on June 16, 2025,  
19 and on which I was copied, that Alexandra Yeatts sent to Plaintiffs' counsel.

20           **Exhibit 8** is a true and correct copy of an email timestamped 9:25 A.M. on June 20, 2025,  
21 and on which I was copied, that Ghita Schwarz, an attorney with IRAP and counsel for Plaintiffs  
22 in this matter, sent to Defendants' counsel.

23           **Exhibit 9** is a true and correct copy of an email timestamped 5:46 P.M. on June 23, 2025,  
24 and on which I was copied, that Lindsay Zimlik, an attorney with the U.S. Department of Justice  
25 and counsel for Defendants in this matter, sent to Plaintiffs' counsel.  
26

I declare under penalty of perjury that the foregoing is true and correct.

s/ Nicholas J. Surprise  
Nicholas J. Surprise